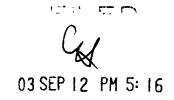
UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA TAMPA DIVISION



CLERK'S MINUTES

ابالـان،	E plaint	I Uil		
TAMPA.FLORIDA				

CASE NO. <u>8:03-cr-77-T-30TBM</u> DAT	TE: <u>September 12, 2003</u>		
HONORABLE <u>James S. Moody, Jr.</u> INTE	RPRETER N/A		
UNITED STATES OF AMERICA	Terry Zitek, Walter Furr		
V.	Government Counsel		
Sami Amin Al-Arian	Pro Se		
Sameeh Hammoudeh (present)	Stephen Bernstein		
Ghassen Zayed Ballut	Bruce Howie		
Hatim Naji Fariz	Don Horrox and Allison Guagliardo		
Defendant(s)	Defense Counsel		
COURT REPORTER <u>Diane Montana (Montana)</u>	DEPUTY CLERK Sara Boswell		
TIME 10:35 - 11:45 a.m. TOTAL 1.5	Courtroom 13 A		
	. 168] Motion for a pretrial conference and to the Classified Information Procedures nued from August 6, 003.]		

Government has filed a revised Motion for Rule 16(d) protective order [258-1]. Court hears arguments regarding the pending motion. Government believes Local Rule 4.10 may not deal with the situation of divulging information in the public domain. If the information is leaked, it may interfere with an impartial jury pool. Furthermore, the government is concerned with persons who have terrorist ties obtaining the information.

Government makes a correction to the scrivener's error in paragraph six of the motion. Paragraph referenced should be paragraph 2.

Defendants object to the government's motion. Arguments made.

Court wishes to ensure a fair trial and feels that the potential release of unprotected information could potentially prejudice the defendants. Court agrees with the government's arguments of unfeathered information disclosing the means of which the intercepts were obtained and that disclosure might jeopardize future cases and intercepts. Court inquires from the defendants what practical problems would be created with the protective order in place.

Defendant Al-Arian expresses concerns about possible witnesses being "chilled" and becoming reluctant to offer assistance. Mr. Horrox raises issue with defense work product becoming government property. Court will issue the protective order provided by the government but will make revisions as discussed in open court.